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Plaintiff Zoya Kovalenko
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 ZOYA KOVALENKO,

12 *Plaintiff,*

13 v.

14 KIRKLAND & ELLIS LLP, MICHAEL
DE VRIES, MICHAEL W. DEVRIES,
15 P.C., ADAM ALPER, ADAM R. ALPER,
P.C., AKSHAY DEORAS, AKSHAY S.
16 DEORAS, P.C., AND MARK FAHEY,

17 *Defendants.*
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Case No. 4:22-cv-05990-HSG

**DECLARATION OF ZOYA
KOVALENKO IN SUPPORT OF
ADMINISTRATIVE MOTION TO
PARTIALLY SEAL PLAINTIFF'S
MOTION TO NOTICE TERMINATION
OF FILIPPATOS PLLC FOR CAUSE, TO
REQUIRE FILIPPATOS PLLC TO
PROVIDE CLIENT FILE TO
PLAINTIFF, AND TO REQUIRE
FURTHER BRIEFING *EX PARTE***

Re: Dkt. Nos. 171, 171-1, 171-4.

**DECLARATION OF ZOYA KOVALENKO IN SUPPORT OF ADMINISTRATIVE
MOTION TO PARTIALLY SEAL PLAINTIFF’S MOTION TO NOTICE
TERMINATION OF FILIPPATOS PLLC FOR CAUSE, TO REQUIRE FILIPPATOS
PLLCC TO PROVIDE CLIENT FILE TO PLAINTIFF, AND
TO REQUIRE FURTHER BRIEFING *EX PARTE***

I, Zoya Kovalenko, declare as follows:

1. I am the plaintiff in this action, *Kovalenko v. Kirkland & Ellis LLP*, No. 4:22-cv-05990-HSG (N.D. Cal.). I submit this declaration in support of the Administrative Motion to Partially Seal Plaintiff’s Motion to Notice Termination of Filippatos PLLC for Cause, to Require Filippatos PLLC to Provide Client File to Plaintiff, and to Require Further Briefing *Ex Parte* (the “**Motion for Partial Sealing**”) to which this declaration is attached. I am familiar with the facts and circumstances of this litigation. I know the facts set forth in this declaration to be true of my own personal knowledge. If called as a witness, I could and would testify competently to the matters set forth in this declaration.

2. I am an attorney duly licensed to practice in the state of California. My California State Bar number is 338624. I am admitted to practice before this Court.

3. It is my opinion and belief that disclosure of the information sought to be sealed hereto would prejudice my interests in the lawsuit, including because disclosure could affect the potential for any out-of-court resolution.

4. Counsel for the defendants in this action, Joe Liburt, confirmed that Defendants do not oppose this motion to seal.

5. Less restrictive alternatives to sealing are not available as I have already limited the sealing request to tailored portions of the documents for which sealing is sought hereunder.

6. A true and correct unredacted copy of Plaintiff’s Motion to Notice Termination of Filippatos PLLC for Cause, to Require Filippatos PLLC to Provide Client File to Plaintiff, and to Require Further Briefing *Ex Parte*, Dkt. No. 171 (“**Plaintiff’s Motion to Notice Termination of**

Filippatos”), is attached hereto as Dkt. No. 176-3. This unredacted copy contains highlighting showing the redacted information in Plaintiff’s Motion to Notice Termination of Filippatos.

7. A true and correct unredacted copy of the Declaration of Zoya Kovalenko in Support of Plaintiff’s Motion to Notice Termination of Filippatos, Dkt. No. 171-1 (the **“Kovalenko Declaration ISO Plaintiff’s Motion to Notice Termination of Filippatos”**), is attached hereto as Dkt. No. 176-4. This unredacted copy contains highlighting showing the redacted information in the Kovalenko Declaration ISO Plaintiff’s Motion to Notice Termination of Filippatos.

8. The document filed as Attachment C to the Kovalenko Declaration ISO Plaintiff’s Motion to Notice Termination of Filippatos, Dkt. No. 171-4, did not include redactions. Attached hereto as Dkt. No. 176-6 is a true and correct copy of that same Attachment C but with redactions. Attached hereto as Dkt. No. 176-5 is a true and correct copy of that same Attachment C with highlighting showing the redacted information. At the behest of Defendants, I requested that public access to the document filed as Attachment C to the Kovalenko Declaration ISO Plaintiff’s Motion to Notice Termination of Filippatos, Dkt. No. 171-4, be blocked temporarily. I would like the redacted version attached hereto, Dkt. No. 176-6, to replace the document filed at Dkt. No. 171-4. The redactions are consistent with redactions in Plaintiff’s Motion to Notice Termination of Filippatos, Dkt. No. 171, and in the Kovalenko Declaration ISO Plaintiff’s Motion to Notice Termination of Filippatos, Dkt. No. 171-1, and warrant sealing for the same reasons.

Docket No. Public/(Sealed)	Document	Portions Sought to Be Sealed	Evidence Offered in Support of Sealing
Dkt. No. 171/(176-3)	Plaintiff’s Motion to Notice Termination of Filippatos	p. 2 n.2 (ll. 27–28). p. 3, ll. 16–20, 23–25. p. 4, ll. 1, 3–4, 5, 9–11. p. 11, ll. 15, 18–28. p. 12, ll. 1–9, 11, 14, 24. p. 13, ll. 1, 7–8, 14–15, 16 & nn.9–10 (ll. 23–24, 25, 26–28).	<i>Supra</i> ¶¶ 3–5. Good cause exists to seal this information because it relates to and involves confidential settlement

		<p>p. 14, ll. 15, 17.</p> <p>p. 15, l. 11 & n.11 (ll. 24–26).</p> <p>p. 20, ll. 16–19.</p>	<p>negotiations and mediation proceedings, which, if disclosed, would undermine public interest in encouraging parties to consider out-of-court resolutions.</p>
<p>Dkt. No.</p> <p>171-1/(176-4)</p>	<p>Kovalenko Declaration</p> <p>ISO Plaintiff's Motion to Notice Termination of Filippatos</p>	<p>p. 3, ll. 17–28.</p> <p>p. 4, ll. 1–28.</p> <p>p. 5, ll. 1–28.</p> <p>p. 6, ll. 1–25, 27–28.</p> <p>p. 7, ll. 1–3, 6–12, 17–18.</p> <p>p. 8, ll. 9, 24–28.</p> <p>p. 9, ll. 1–28.</p> <p>p. 10, ll. 1–19.</p> <p>p. 13, ll. 18–22.</p> <p>p. 14, ll. 2–8.</p>	<p><i>Supra</i> ¶¶ 3–5.</p> <p>Good cause exists to seal this information because it relates to and involves confidential settlement negotiations and mediation proceedings, which, if disclosed, would undermine public interest in encouraging parties to consider out-of-court resolutions.</p>

Dkt. No.	Attachment C	p. 1–3.	<i>Supra</i> ¶¶ 3–5, 8.
171-4* /	(Termination		Good cause exists to
(176-5)	Email and		seal this information
	Response) to		because it relates to
*176-6 is the	Kovalenko		and involves
redacted	Declaration		confidential
version of 176-	ISO Plaintiff's		settlement
5 and should	Motion to		negotiations and
replace the	Notice		mediation
document filed	Termination		proceedings, which, if
at 171-4.	of Filippatos		disclosed, would
			undermine public
			interest in
			encouraging parties to
			consider out-of-court
			resolutions.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Germantown, Maryland on January 30, 2025.

/s/ Zoya Kovalenko

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Plaintiff Zoya Kovalenko